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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,474	01/18/2002	Steven Spicer	T8465681US	7737

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EXAMINER
WALSH, JOHN B

ART UNIT	PAPER NUMBER
2151	

MAIL DATE	DELIVERY MODE
05/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/926,474	SPICER ET AL.
	Examiner	Art Unit	
	John B. Walsh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 February 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,10-15 and 19-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4,10,13,19,23,27-32 and 34-37* is/are rejected.

7)☒ Claim(s) *2,3,5,6,11,12,14,15,20-22,24-26 and 33* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 4, 10, 13, 19, 23, 27-32 and 34-37 are rejected under 35 U.S.C. 102(e) as being

anticipated by U.S. Patent No. 6,092,114 to Shaffer et al.

As concerns claims 1, 10 and 19, a data receiver for receiving a request for transmission

of an incoming message including an attachment document (column 1, lines 15-25) to a network

terminal over a communications network (column 1, lines 23-27), the attachment document

having attachment data including content for presentation on the network terminal and

presentation data defining the presentation of the content on the network terminal (column 1,

lines 47-50; document includes multiple types of data which is accessed by the client); a data

processing system (column 1, lines 23-27; sender) in communication with the data receiver for

converting the attachment data in accordance with at least one data filtration parameter (figure 2;

50,54,56,48; column 2, lines 30-65) representing a specified data resolution level to

accommodate data resolution capabilities of the network terminal, the data processing system

configured to perform the conversion by reducing the number of bytes occupied by the

attachment data according to the specified data resolution level in order to provide the converted

data including at least one of reduced content and reduced presentation data (attachment

converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65); and a data transmitter (transmitter of server) in communication with the data processing system for transmitting an outgoing message containing converted data to the network terminal over the communications network (figure 3).

As concerns claims 4 and 13, the presentation data includes at least one of text font data and text attribute data associated with the data filtration parameter, and the data processing system is configured to perform the conversion by reducing the number of bytes occupied by the at least one of the text font data and the text attribute data to provide the reduced presentation data included as the reduced presentation data in the converted data in view of the specified data resolution level (column 1, lines 47-50; converts original content into text with its own font and attribute for sending ; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65).

As concerns claim 23, converting the attachment data to accommodate data resolution capabilities of the network resource by reducing the number of bytes occupied by the attachment data according to a specified data resolution level of the network resource (column 2, lines 30-65) in order to provide a converted document including at least one of reduced content and reduced presentation data (column 1, lines 47-50;MIME; column 1, lines 47-50; document includes multiple types of data which is accessed by the client; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65); receiving a request for transmission of at least the content of the attachment document to the network resource (column 1, lines 23-27); and initiating

transmission of the converted document to the network resource in accordance with an access

level defined for the network resource (column 1, lines 8-12; figures 2-3).

As concerns claim 27, wherein the network resource has a network address (inherent for

a network device/resource to have a network address), the network resource transmission request

includes an indication of the network address (inherent, request needs address of where to send

message), the network address indication comprising a pseudo-name associated with the network

resource but distinct from the network address (memory location at the sender for the network

address of the receiver), and the network resource transmitting step comprises querying a

resource registry with the pseudo-name for the access level (column 3, lines 1-20).

As concerns claims 28, 29 and 32, the attachment data including raster image data, and

the data processing system is configured to convert the image data to text for reducing the

number of bytes occupied by the content and presentation data included in the converted data in

view of the specified data resolution (column 1, lines 47-51; attachment converted to text;

column 4, line 45- when converting from one format to another a reduction in size, bytes, may be

incurred; column 5, lines 55-65; column 2, lines 30-65).

As concerns claim 30, wherein the network resource has a network address (inherent for

a network device/resource to have a network address), the network resource transmission request

includes an indication of the network address (inherent, request needs address of where to send

message), the network address indication comprising a pseudo-name associated with the network

resource (memory location at the sender for the network address of the receiver) but distinct

from the network address, and the data processing system is configured to determine the access

level by querying a resource registry with the pseudo-name (column 3, lines 1-20).

As concerns claim 31, the presentation data includes at least one of text font data and text attribute data, the converting step comprises reducing the number of bytes occupied by the at least one font text data and text attribute data in view of the specified data resolution (column 1, lines 47-50; converts original content into text with its own font and attribute for sending; converts original content into text with its own font and attribute for sending ; attachment converted to text; column 4, line 45- when converting from one format to another a reduction in size, bytes, may be incurred; column 5, lines 55-65; column 2, lines 30-65).

As concerns claims 34 and 36, obtaining the data filtration parameter from the request for transmission (column 2, lines 43-65).

As concerns claims 35 and 37, the request for transmission is a request for retransmission of the attachment document and the data filtration parameter defines a desired alternate resolution level for the retransmitted attachment document (column 3, lines 14-37).

Response to Arguments

3.   Applicant's arguments filed February 7, 2007 have been fully considered but they are not persuasive.

The applicant argues Shaffer is silent on the use of a specified data resolution level as a basis to select one file format over another. The claims have been given their broadest reasonable interpretation and as such Shaffer discloses the claim limitations (see rejection above). Shaffer does disclose that results of the file conversion include the freeing of resources and processing time at the client device. However there are also intrinsic results that will be accomplished by a file conversion, which include a reduction in bytes of an attached document when converted to an alternate format. Furthermore the emphasis on the ability to open the message attachment

results in the data conversion, wherein the conversion is dependent upon the resolution

capabilities of the device.

Allowable Subject Matter

4.   Claims 2, 3, 5, 6, 11, 12, 14, 15, 20-22, 24-26 and 33 are objected to as being dependent

upon a rejected base claim, but would be allowable if rewritten in independent form including all

of the limitations of the base claim and any intervening claims.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
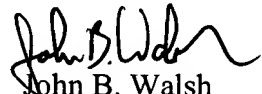
A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The

examiner can normally be reached on Monday-Thursday from 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John B. Walsh
Primary Examiner
Art Unit 2151